



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

ELP
Docket No. 7100-99
2 March 2000

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, United States Code, Section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 1 March 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you enlisted the Navy on 14 July 1998 for four years at age 19. Your enlistment papers indicate that you received an uncharacterized entry level separation from the Army in 1997. The basis for this separation is not shown in the record:

The record reflects that you were advanced to AA (E-2) and served without incident until 27 May 1999 when you were referred to a fleet mental health unit for an evaluation of your depression, anxiety, and fitness for duty. You reported a loss of appetite, impaired sleep, suicidal ideation with a plan of jumping off the ship's fantail, and feelings of helplessness and hopelessness for the past five months. The examining psychologist noted that your boyfriend had been discharged for humanitarian reasons and now lived on the East coast, and you had significant "OBGYN difficulties." You expressed dislike for the Navy and said it was a contributing factor in your current mental status. You were diagnosed with an unspecified personality disorder with

dependent and histrionic traits. Immediate processing for separation was recommended because despite your denial of a suicidal or homicidal intent, you were judged to be a significant risk for harm to yourself and others if retained on active duty.

On 28 May 1999 you were notified that discharge was being considered by reason of personality disorder. You were advised of your procedural rights, declined to consult with counsel, and waived the right to have your case reviewed by the general court-martial convening authority. Thereafter, the discharge authority directed an honorable discharge by reason of convenience of the government due to personality disorder. You were so discharged on 15 June 1999 and assigned an RE-4 reenlistment code.

Regulations authorize the assignment of an RE-4 reenlistment code to individuals discharged by reason of personality disorder and require that the specific narrative reason be shown on the DD Form 214. The Board noted your letters of reference and the contentions that you do not have a personality discharge and that the reenlistment code bars your reenlistment. You claim that when you brought some harassment difficulties to the attention of your superiors, you were falsely blamed and discharged. However, you have provided no medical evidence that the diagnosis of personality disorder by the Navy was erroneous or invalid. Your harassment contentions are neither supported by the evidence of record nor by any evidence submitted with your application. The fact that the reason for discharge may be stigmatizing does not provide a valid reason for removing it from the DD Form 214. Since you posed a potential risk for harm to yourself or others if retained, the Board concluded that the assigned reenlistment code was proper. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director